



### **New on the Web – the RR Sites Map is Here**

The RR Program is now offering a new, on-line map system to help local officials, environmental professionals and the public find contaminated properties in Wisconsin. The **RR Sites Map** displays thousands of contaminated and formerly contaminated properties on a geographic information system (GIS) map. Our GIS map includes leaking underground storage tank (LUST) sites and other sites needing environmental repair (ERP sites). Users select whether to look at cleanups in progress (open), completed cleanups (closed), or both.

Those who are familiar with the RR Program's GIS Registry of Closed Remediation Sites will find the format of the RR Sites Map very familiar, but the number of entries much larger. We now can show you both open and closed sites with different map symbols for each. Users select the area of the state they want to view, and select map layers such as municipal boundaries, roads or air photos as background for the maps. Each of our entries on the map links to more detailed information in our BRRTS on the Web database. Or, you may start your search in BRRTS on the Web and then click on the mapped location in the RR Sites Map.

Users of the new RR Sites Map should remember that we are continually geo-locating new sites as we update our data in BRRTS on the Web. Typically, we geo-locate a site after we receive a site investigation report. To help our users understand what is in BRRTS on the Web but not yet in the RR Sites Map, we offer a list of sites that are in BRRTS on the Web but not yet located on the RR Sites Map. You can find this list using the "Download Data" tab by first selecting a county and then clicking on "download Excel table". We are still improving some features on the RR Sites Map, so please bear with us as we continue to work on it.

Our new RR Sites Map introductory page includes links to an explanation of what is included in this new GIS application and what we have planned for the future, as well as instructions and frequently asked questions. The RR Sites Map is on the web at <http://dnr.wi.gov/org/aw/rr/gis/index.htm>. If you have questions about this new application, you may contact Jane Lemcke, DNR, Tuesdays through Thursday at 608-267-0554 or email Jane at [Jane.Lemcke@dnr.state.wi.us](mailto:Jane.Lemcke@dnr.state.wi.us).

### **New, Updated Financial Resource Guide for Cleanup and Redevelopment is Done**

DNR and the Department of Commerce have completed our comprehensive update of the *Financial Resource Guide for Cleanup and Redevelopment* (publication #RR-539). This 60-page booklet provides a list of funds available from state and federal sources for the cleanup and redevelopment of brownfields. Our guide provides informative, one-page summaries of more than 60 grants, loans, tax incentives and reimbursement programs; includes a quick reference chart; a how-to guide and additional web sites to help readers fund their brownfield redevelopment projects. The new guide is now available on the web at [http://dnr.wi.gov/org/aw/rr/general/whats\\_new.htm](http://dnr.wi.gov/org/aw/rr/general/whats_new.htm).

If you have questions about the new *Financial Resource Guide*, need more information, or would like to arrange a "Green Team" meeting to discuss brownfield funding options, please contact Laurie Egge at 608-267-7560, or at [laurie.egge@dnr.state.wi.us](mailto:laurie.egge@dnr.state.wi.us).

### **Updated Fact Sheet on General Liability Clarification Letters**

Our fact sheet on *General Liability Clarification Letters* (publication #RR-619) has also been completely revised and updated. This fact sheet provides a helpful overview of one of the RR Program's most popular redevelopment tools. It helps readers understand when a liability clarification letter may be helpful, how to apply for a letter and includes a link to our new *Technical Assistance and Liability Clarification Request* form (Form #4400-237) as a method of requesting a liability clarification letter. *General Liability Clarification Letters* is on the web at <http://dnr.wi.gov/org/aw/rr/archives/pubs/RR619.pdf>. Please see the January 25, 2006 RR Report if you want more information about our new Form 4400-237-  
<http://dnr.wi.gov/org/aw/rr/general/listserve/06/01-25-06.pdf>.

### **Support Growing for Brownfields Legislation**

State Senator Carol Roessler has a growing list of supporters for the brownfields legislative package she recently introduced in the Legislature. Supporters include the Wisconsin Manufacturers and Commerce; the Alliance of Cities; the Wisconsin Counties Association; the Wisconsin Economic Development Association; the Departments of Commerce, Agriculture, Trade and Consumer Protection and Natural Resources and the Brownfields Study Group.

The four brownfield provisions in the legislative package include:

- Land Use – This bill offers a more efficient process for creating and modifying enforceable brownfields land use controls, and should accelerate the clean-up approval process, reduce transactional costs, and function as a more user-friendly and accessible method to inform the public.
- Voluntary Party Liability Exemption (VPLE) for Certain Types of Solid Waste Facilities – In order to promote the clean up and reuse of a greater number of brownfield properties, this bill proposes to expand the VPLE protections to apply to a subset of solid waste facilities, known as “unlicensed landfills.”
- Local Government Liability Exemption for Certain Types of Solid Waste Facilities – This bill would exempt a local government from certain parts of the Solid Waste Law for involuntary acquisition of an unlicensed landfill. The local government would be required to prevent any unacceptable exposures to any contamination once the property was put to its intended use, and would also be required to maintain and monitor any existing monitoring or maintenance systems for the landfill. Many communities that are landlocked will be able to use these properties for public purposes and green space, if not for economic development purposes.
- Modifications to the Environmental Remediation Tax Incremental Financing (ER TIF) District – This bill proposes a number of technical modifications to make ER TIFs more useable and more consistent with the recent changes to the Tax Incremental District (TID) statutes. These changes should result in the ER TIF being used more frequently by local governments as an economic development tool for business expansion and job creation.

For the complete text of the letter from the Brownfields Study Group, please see <http://dnr.wi.gov/org/aw/rr/brownfields/bsg/index.htm#05budget>.

### **Questions about Contaminated Fill Material?**

The RR Program sometimes gets questions about whether materials proposed for use as construction fill is “clean enough” to be deposited as fill. There are a number of scenarios that may apply, and the following summary provides an overview of the options.

- When a proposed fill material consists of newly generated substances such as foundry sand or coal ash, then DNR's Waste Management Program will help through its Beneficial Use of

Industrial Byproducts Program. This program uses a largely self-implementing rule, NR 538, to establish five categories of industrial byproducts and 12 pre-approved beneficial uses. For more information about beneficial use, please see <http://www.dnr.state.wi.us/org/aw/wm/solid/beneficial/index.html>.

- If you want to excavate material such as foundry sand from a disposal area in order to use it as fill at a new location, contact DNR's Waste Management Program regarding a specific exemption to place this waste material in a new location. Waste Program staff contacts are at <http://dnr.wi.gov/org/aw/wm/solid/beneficial/staff.htm>.
- If, on the other hand, you are excavating material such as foundry sand from a disposal area as part of a remediation effort and would like to use it as fill on the same property, contact the RR Program for approval under NR 718.15. A \$500 technical assistance fee applies. Our county-by-county staff contacts are at [http://dnr.wi.gov/org/aw/rr/technical/lists/county\\_contacts.pdf](http://dnr.wi.gov/org/aw/rr/technical/lists/county_contacts.pdf).
- If the proposed fill material is soil that may contain contaminants, the RR Program will also provide technical assistance under chapter NR 718. This rule establishes standards for storage, treatment and disposal of contaminated soil, and includes location criteria such as avoiding wetlands. Requirements vary depending on how and where the soil will be managed, but the rule allows placement either on the same property from which soil has been excavated or on other properties.
  - On-site replacement of contaminated soil (718.11)
    - Replacement in the same excavation for in-situ treatment – Notification to DNR's RR Program is required. No fee or approval is needed if the requirements in s. NR 718.11(2)(a) are followed.
    - Disposal elsewhere on the same property – Notification to the RR Program is required. No fee or approval is needed if the requirements in s. NR 718.11(2)(b) are followed.
    - Disposal on the same property when the requirements of s. NR 718.11(2) can not be met - A \$500 fee and an approval from the RR Program is required.
  - Off-site placement of contaminated soil at another site which has or had similar contaminants (718.13) – Notification to the RR Program is required, but no fee or approval is required if all of the requirements of s. NR 718.13 are met.
  - Off-site placement of contaminated soil at another location which has not had similar contaminants (718.14) – Written approval from DNR's RR Program is required, as well as a \$500 review fee.